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Reply to Office Action of April 9, 2003

PROPOSED DRAFT**Remarks**

Claim 1 was rejected because of the informality on line 16, in claim 1, "to driver" should be "to the driver." In claim 1, the phrase "to driver" has been changed to "to a driver" to correct the infomality.

In claim 1, the phrase "providing information to the driver" has been amended to "filtering information provided to a driver" to more particularly point out and distinctly claim the subject matter that Applicants regard as their invention.

In claim 5, the phrase "providing information to a driver" has been amended to read "filtering information to a driver" to more particularly point out and distinctly claim the subject matter the Applicants regard as their invention.

Claims 1-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Roeseler et al. (U.S. Patent No. 6,317,684).

Applicants respectfully submit that the Examiner misinterpreted the argument presented in the Amendment of January 7, 2003. Examiner states in paragraph 13 of the Final Office Action that "Applicant seems to argue that Roeseler et al. does not disclose providing an alternate route when conditions of the current route change." Applicants have amended claims 1 and 5 to focus on the concept of a system and method wherein alternate route information may be filtered to the driver of a vehicle only when the alternate route would provide a predetermined improvement in efficiency as measured as determined by the user preference data. The user preference data may include one or a combination of the following criteria: shortest time, shortest distance, maximizing use of freeways, minimizing use of freeways, maximizing use of toll roads and minimizing use of toll roads. For example, the user may set the predetermined improvement efficiency to be measured in time, such as 10 minutes. Applicants' claimed invention will only provide an improved and alternate route only when the alternate route would provide a predetermined improvement in efficiency as measured

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by the user preference, in this example 10 minutes. This filtering concept is not disclosed or suggested by the Roeseler patent.

Examiner states in the April 9, 2003 Office Action that Roeseler et al. discloses: "providing information to the driver to evaluate and select between the previously selected route and the alternate route is repeated only when the alternate route would provide a predetermined improvement in efficiency as measured by the user preference data" in lines 55-60, on column 5, and lines 7-14 on column 6 of the Roeseler patent.

However, lines 55-60 on column 5 of the Roeseler patent read:

Such traffic information may include information on traffic congestion, road work, detours, iced-over bridges, etc. The controller 310 may automatically alter the route for caller based on the traffic information received, or may provide the caller with an option to alter the route, for example.

Lines 7-14 on column 6 of the Roeseler patent read:

In the navigation phase, the route planning and navigation unit 210 may perform several tasks for the caller, including retrieving and providing directions from a stored route filed under the route ID number, providing directions from a present position to a destination if the driver should become lost, for example, providing a detour around traffic congestion and/or an accident, etc.

Column 5, lines 55-60 and Column 6, lines 7-14 of the Roeseler et al. patent do not disclose or suggest "filtering information provided to a driver to evaluate and select between the previously selected route and the alternate route only when the alternate route would provide a predetermined improvement in efficiency as measured by the user preference data" as stated in Claim 1 of Applicants' claimed invention.

The Applicants provide in the Background Art section that "there is a need for system that offers optional routing along the way with intelligence as to a user's preferences and filtering of information provided to driver based upon a level of increased efficiency as

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measured by one or more parameters." Applicants' claimed invention focuses on using a filter of a predetermined improvement in efficiency as measured by the user preference data to offer the driver an alternate route. Applicants' claimed invention focuses on a system and method wherein unnecessary distractions from a navigation system may be eliminated. The Roeseler et al. patent does not disclose using a filter of predetermined improvement efficiency to notify the driver. The Roeseler patent discloses a system that continuously notifies the driver whenever there is a change based on new traffic or road conditions affecting the predetermined route. The Roeseler patent does not eliminate unnecessary distractions to the driver.

Applicants have amended claims 1 and 5 of the application to overcome the Examiner's objections. The Examiner is invited to telephone Applicants' attorney if it would advance the prosecution of this case. The Examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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